

OCT 22 2009

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION**

**ROMANIA PETER CUNNINGHAM,**

**Petitioner,**

**V.**

**WARDEN T. O'BRIEN,**

**Respondent.**

**Case No. 7:09CV00423**

## FINAL ORDER

**By: Glen E. Conrad**  
**United States District Judge**

In accordance with the accompanying memorandum opinion, it is hereby

**ORDERED**

that the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2241, is **DISMISSED**, and this action is stricken from the active docket of the court.

ENTER: This 22<sup>nd</sup> day of October, 2009.

Frank Conrad  
United States District Judge